

**BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE**

David O'Neal,)
Grievant)
v.)
DE Department of Health)
and Social Services)
State of Delaware,)
Agency)

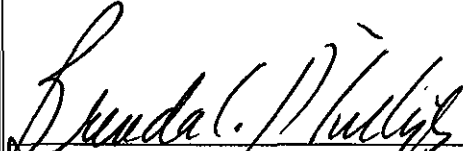
Docket Number 05-01-318

ORDER OF DISMISSAL

Before Brenda C. Phillips, Chairperson, John F. Schmutz, Paul R. Houck, and Joseph D. Dillon, Board Members, constituting a quorum of the Board pursuant to 29 Del. C. Section 5908(a).

And now, this 1st day of December, 2005, it appears to the Board that the grievant, David O'Neal, through his attorney, Tasha M. Stevens, and the Dept. of Health & Social Services, through their attorney, Ilona Kirshon, have reached a settlement regarding his appeal to the Board (see copy of attached settlement agreement signed by Ms. Stevens and Ms. Kirshon.)

Therefore, IT IS ORDERED that the appeal is DISMISSED as settlement has been reached between the two parties.


Brenda Phillips, Chairperson


John F. Schmutz, Member


Paul R. Houck, Member


Joseph D. Dillon, Member

Original: File
Copies: Grievant
Agency
Agency's Representative
Board
State personnel Office (2 copies)

DATE MAILED

Dec. 8, 2005

COPY

COPY

BEFORE THE MERIT EMPLOYEE RELATIONS BOARD
OF THE STATE OF DELAWARE

DAVID O'NEAL,

Grievant,

v.

DEPARTMENT OF HEALTH AND
SOCIAL SERVICES,

Employer.

MERB Docket No.
05-01-318

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RELATIONS BOARD
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STIPULATION OF DISMISSAL

WHEREAS, the Grievant, David O'Neal ("O'Neal") was an employee of the Delaware Department of Health and Social Services ("DHSS"); and

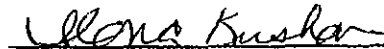
WHEREAS, O'Neal has a grievance pending before the Merit Employee Relations Board ("Board"), Docket No. 05-01-318; and

WHEREAS the above-referenced grievance has been settled by the parties.

IT IS HEREBY STIPULATED AND AGREED by and between the parties, DHSS and O'Neal, through their respective counsel, that the above-referenced grievance is hereby dismissed with prejudice.



Tasha Marie Stevens, Esq.
Fuqua and Yori, P.A.
28 The Circle
P.O. Box 250
Georgetown, DE 19947
Counsel for Appellant-Employee



Ilona Kirshon, Esq.
Deputy Attorney General
Department of Justice
820 N. French St., 6th Floor
Wilmington, DE 19801
Counsel for Appellee-Employer

Dated: Nov. 18, 2005

Dated: 11/10/05

M. JANE BRADY
ATTORNEY GENERAL



STATE OF DELAWARE
DEPARTMENT OF JUSTICE

NEW CASTLE COUNTY

Carvel State Building
820 N. French Street
Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630
TTY: (302) 577-5783

KENT COUNTY

102 West Water Street
Dover, DE 19901
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652
TTY: (302) 739-1545

SUSSEX COUNTY

114 E. Market Street
Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369
TTY: (302) 856-4698

November 21, 2005

PLEASE REPLY TO : New Castle County/Civil Division

Ms. Jean Lee Turner, Administrative Assistant
Merit Employee Relations Board
Margaret O'Neill Building, Rm. 213
410 Federal Street
Dover, DE 19901

STATE MAIL D340A

RE: O'Neal v. DHSS (Docket No. 05-01-318)

Dear Ms. Turner,

DHSS and David O'Neal have settled the above-referenced matter. Enclosed please find a Stipulation of Dismissal dismissing the grievance with prejudice. Kindly file this Stipulation and send clocked-in copies to me and Tasha Stevens, Esq., Mr. O'Neal's attorney.

Thank you for your attention to this matter.

Very truly yours,

Ilona Kirshon
Deputy Attorney General

Encl.

cc: Marie Collins
Tasha Stevens
Allison Reardon